

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2014-002689-001 DT

09/01/2015

HONORABLE MARGARET R. MAHONEY

CLERK OF THE COURT

A. Gonzalez

Deputy

STATE OF ARIZONA

KAREN E KOMRADA

v.

MICHELLE MARIE GREEN (001)

DOB: 11/10/1981

BRIAN CHRISTOPHER DE LA TORRE

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

PRETRIAL SERVICES AGENCY-CCC

RFR

**SUSPENSION OF SENTENCE - PROBATION GRANTED**

COURTROOM – SCT 8A

10:23 a.m. This is the time set for Sentencing in CR2014-002689-001, CR2014-005340-001 and CR2014-120892-001.

State's Attorney:	Robert Beardsley for Karen E. Komrada
Defendant's Attorney:	Brian Christopher De La Torre
Defendant:	Present
Court Reporter:	Crystal Hereford

A record of the proceeding is also made by audio and/or videotape.

Counsel make statements and sentencing recommendations to the Court and the Defendant makes a statement on her own behalf.

Counts 1 and 2 As Amended: WAIVER OF TRIAL: Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 As Amended Endangerment

Class 6 Designated Felony

A.R.S. § 13-1201, 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, 13-801

Date of Offense: July 18, 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 2 As Amended Driving or Actual Physical Control While Under the  
Influence of Intoxicating Liquor of Drugs

Class 1 Misdemeanor

A.R.S. § 28-1381(A)(1), 28-3001, 28-3304, 28-3305, 38-3315, 13-701, 13-702,  
13-702.01, 13-801

Date of Offense: July 18, 2008

Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition or execution of sentence and, under the  
supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

COUNT 1 – Probation Term: 3 YEARS

TO BEGIN: September 1, 2015.

COUNT 2 – Probation Term: 3 YEARS

TO BEGIN: September 1, 2015.

CONCURRENT. IT IS ORDERED that probation in Count 2 shall run concurrent with  
probation in Count 1 of this cause and CR2014-005340-001 and CR2014-120892-001.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from  
prison, release from incarceration, or residential treatment and continue to report as directed.  
Keep APD advised of progress toward case plan goals and comply with any written directive of  
the APD to enforce compliance with the conditions of probation. Provide DNA testing if  
required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the  
State.

Condition 15: Restitution, Fines and Fees:

DUI FINE: Count 2 - \$457.50 payable \$25 per month beginning November 1, 2015.

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DUI INCARCERATION COST: Count 2 - \$2,000 payable \$50 per month beginning November 1, 2015.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 2 - \$500 payable \$25 per month beginning November 1, 2015.

Count 2: \$500 payable \$25 per month to the Public Safety Equipment Fund pursuant to A.R.S. § 41-1723 beginning November 1, 2015.

PROBATION SURCHARGE: Count 2 - \$20 payable on November 1, 2015.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20 payable on November 1, 2015.

All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 18: COUNT 2: Defendant shall serve 120 FLAT days in the Maricopa County Jail, beginning at 12:00 p.m. noon on Friday, October 2, 2015 with credit for ZERO days served, to be released at 12:00 p.m. noon on Sunday, October 4, 2015; and for 59 consecutive weekends thereafter from 12:00 p.m. noon on Fridays until 12:00 p.m. noon on Sundays, until 120 flat days have been served.

WORK FURLOUGH. Defendant shall participate in Work Furlough (participation is contingent upon Jail Classification/ MCSO approval).

Report to the APD within 72 hours of release from jail. Comply with all program rules.

IT IS ORDERED that the Defendant pay incarceration costs through the Clerk of the Superior Court in the total amount of \$2,000. Payment shall be made in regular monthly payments of \$50 beginning November 1, 2015 and on the first day of each month thereafter until paid in full. (See Term 15 above.)

Condition 22: Substance abuse treatment

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation

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who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss Counts 3 and 4.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

The Presentence Investigation Report contains multiple cause numbers, and is filed under CR2014-002689-001.

IT IS ORDERED revoking Defendant MICHELLE MARIE GREEN's (dob 11/10/1981) driver's license and driving privilege. Defendant shall not operate a motor vehicle without a valid driver's license. Defendant shall pay for and stall a certified ignition interlock device if and when Defendant's driving privileges are reinstated. The Disposition Clerk is directed to forward a certified abstract and copy of this sentencing minute entry to the State of Arizona Motor Vehicle Division.

11:01 a.m. Matter concludes.

ISSUED: ORDER OF CONFINEMENT JAIL, original to Lower Buckeye Jail, Intake, Future Confinements; copy to Defendant with Self Surrender Instructions

IT IS ORDERED that defense counsel shall preserve Defendant's file for post-conviction relief purposes. If defense counsel receives notice that Defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum,

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include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

*/s/ Margaret R. Mahoney*

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HONORABLE MARGARET R. MAHONEY  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)